

NINETY-EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 24CA

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Smith, 48; Combs, 32; Erdman, 47; Landis, 46

Read first time January 22, 2003

Committee: Urban Affairs

1           THE MEMBERS OF THE NINETY-EIGHTH LEGISLATURE OF NEBRASKA,  
2   FIRST SESSION, RESOLVE THAT:

3           Section 1. At the general election in November 2004 the  
4   following proposed amendment to the Constitution of Nebraska shall  
5   be submitted to the electors of the State of Nebraska for approval  
6   or rejection:

7           To add a new section 6 to Article XI, and repeal Article  
8   XI, sections 2 to 5:

9           XI-6 "Municipalities and counties are granted the power  
10   and authority, not inconsistent with the laws of this state, to  
11   determine their own local affairs and government. The Legislature  
12   shall determine which matters are those of statewide concern.

13          The Legislature may by law delegate its power so that  
14   matters of local concern are handled by municipalities and counties  
15   without the necessity of further action by the Legislature. The  
16   rule or proposition of law that a municipality or county possesses  
17   and can exercise only those powers granted in express words is not

1 part of the law of this state.".

2           Sec. 2. The proposed amendment shall be submitted to the  
3 electors in the manner prescribed by the Constitution of Nebraska,  
4 Article XVI, section 1, with the following ballot language:

5           "A constitutional amendment to authorize municipalities  
6 and counties to exercise greater powers in matters of  
7 local concern, with the Legislature to determine which  
8 matters are of statewide concern, and to eliminate home  
9 rule charters.

10           For

11           Against".